

***POLICY DOCUMENT: UNLAWFUL WAYS OF
PROTECTING YOUR RIGHTS
THAT SHOULD BE AVOIDED***



TABLE OF CONTENTS

TABLE OF CONTENTS	2
TABLE OF AUTHORITIES	2
1 Introduction	4
2 Recording conversations with government workers without their consent or knowledge	4
3 Threatening people.....	4
4 Frivolous pleadings or actions that draw court sanctions	4
5 Administrative Liens.....	6
6 Notary judgments	6
7 Serving private court process upon non-members or non-citizens	7
8 Sending threatening letters.....	10
9 Witness tampering	10
10 Knowingly false complaints of violations of constitutional rights	11
11 A painful example of what NOT to do	12
12 Conclusions	13
13 Resources for Further Study and Rebuttal	14

TABLE OF AUTHORITIES

Statutes

18 U.S.C. §§3 and 4	11, 13
18 U.S.C. §1512	10
Arizona Revised Statutes (ARS), 13-3004	10
Code of Alabama, Section 13A-6-25	4
Oregon Revised Statutes (ORS), 162.355	7
Texas Penal Code Annotated, § 32.48(a)(2).....	8

Rules

Federal Rule of Civil Procedure 11(b)	5
Federal Rule of Civil Procedure 11(b)(1).....	6
Federal Rule of Civil Procedure 11(b)(2).....	6
Federal Rule of Civil Procedure 11(b)(4).....	6
Federal Rule of Civil Procedure 11(c)	5
Federal Rule of Civil Procedure 11, Notes.....	5
Federal Rule of Civil Procedure 12(b)(6).....	5
Federal Rule of Civil Procedure 8(b)(6).....	6

Cases

In re Godwin, 293 S.W.3d. 742, 748 (Tex.App.—San Antonio 2009, orig. proceeding)	8
Liebowitz v. Aimexco, Inc., Colo.App. 701 P.2d. 140, 142.....	5
Michael Runningwolf v. State of Texas, 317 S.W.3d. 829 (2010).....	8, 9
Serbian E. Orthodox Diocese v. Milivojevich, 426 U.S. 696, 708–09, 724–25, 96 S.Ct. 2372, 49 L.Ed.2d. 151 (1976).....	8
United States v. Aguilar, 515 U.S. 593 (1995).....	11

United States v. Ogle, 613 F.2d. 233, 238 (CA10)..... 11

Other Authorities

Black’s Law Dictionary, Seventh Edition, p. 668 9
Black’s Law Dictionary, Sixth Edition, p. 668..... 5
Civil Causes of Action, Litigation Tool #10.012 5
Common Law Practice Guide, Litigation Tool #10.013 13, 14
Family Guardian Website, Sovereignty and Freedom page 14
How to Record Telephone Conversations Using Your Computer..... 4, 14
Legal Notice of Change in Domicile/Citizenship Records and Divorce from the United States, Form #10.001 10
Liberty University 14
Meaning of the Word “Frivolous”, Form #05.027 6
Notary Certificate of Dishonor Process, Form #07.006 6, 14
Socialism: The New American Civil Religion, Form #05.016..... 9
UCC-1 Financing Statement 6
W.J.V. Windeyer, Lectures on Legal History 56-57 (2d ed. 1949)..... 9
Why Domicile and Becoming a “Taxpayer” Require Your Consent, Form #05.003..... 9

1 Introduction

There are a lot of ways as a freedom lover to get in trouble for standing up for your rights. Most of these ways are a product of ignorance and could be avoided with more legal knowledge. This document will describe the most frequent methods that freedom lovers get in trouble in a legal setting and how to avoid them. This will help the reader avoid discrediting and injuring not only themselves, but more importantly us and the freedom community generally by misusing our materials or services.

2 Recording conversations with government workers without their consent or knowledge

In some states, it is illegal to surreptitiously record a conversation with someone else without obtaining their advanced consent. States that do this are called “two party states”. States that only require the consent of one of the two or more parties are called “one party states”. If you record the conversation without getting the other party’s consent and then either use it in litigation or reveal it to the other person, then you may invite a criminal complaint and subsequent prosecution from the other party.

Before you record a conversation you should do the following to protect yourself:

1. If you are using a telephone or the internet, find out what state the person is in on the other end of the line.
2. Look up the laws for recording of conversations for the state the other party is in. The link below is a starting point for the laws of each state:
<http://www.famguardian.org/Subjects/PropertyPrivacy/Articles/TelephoneRecording.htm>
3. If the state is a two party state, then either announce that talking with you constitutes consent or ask them if they consent. If the state is a one party state, then you don’t need permission and aren’t required to notify the other party.
4. Use the following procedure as a starting point for how to record:
How to Record Telephone Conversations Using Your Computer
<http://www.famguardian.org/Subjects/PropertyPrivacy/Articles/TelephoneRecording.htm>

3 Threatening people

Criminal coercion is sometimes used to charge people who are trying to defend themselves from government corruption. Another name for this crime is “blackmail”. Here is a description of such a charge from the Code of Alabama:

*Code of Alabama
Section 13A-6-25*

Criminal coercion.

(a) A person commits the crime of criminal coercion if, without legal authority, he threatens to confine, restrain or to cause physical injury to the threatened person or another, or to damage the property or reputation of the threatened person or another with intent thereby to induce the threatened person or another against his will to do an unlawful act or refrain from doing a lawful act.

(b) Criminal coercion is a Class A misdemeanor.

Moral of the story is don’t THREATEN people. This is akin to blackmail. Threats will get you nowhere. ACTION is more important.

4 Frivolous pleadings or actions that draw court sanctions

Another common mistake that many freedom lovers make who are ignorant of the law is to file a pleading or complaint in a court and do so:

1. Without satisfying the proper elements to base a claim. See the following for a list of common causes of action and the “elements” upon which they are based:

Civil Causes of Action, Litigation Tool #10.012
<http://sedm.org/Litigation/LitIndex.htm>

2. Without the proper affidavit of facts proving the elements of the claim.
3. Without properly invoking the jurisdiction of the court.

Judges call the above defects “frivolous”, and may even dismiss the case under Federal Rule of Civil Procedure 12(b)(6). A “frivolous” claim is defined as follows:

“Frivolous.”¹

[1] Of little weight or importance.

[2] A pleading is ‘frivolous’ when it is clearly insufficient on its face, and does not controvert the material points of the opposite pleading, and is presumably interposed for mere purpose of delay or

[3] to embarrass the opponent.

[4] A claim or defense is frivolous if a proponent can present no rational argument based upon the evidence or law in support of that claim or defense. Liebowitz v. Aimexco, Inc., Colo.App. 701 P.2d. 140, 142. [5] Frivolous pleadings may be amended to proper form, or ordered stricken, under federal and state Rules of Civil Procedure.” [Black’s Law Dictionary, Sixth Edition, p. 668]

Federal Rule of Civil Procedure 11(c) authorizes sanctioning parties for submitting frivolous documents to a court, which are then defined in Federal Rule of Civil Procedure 11(b) as follows:

Federal Rules of Civil Procedure
III. PLEADINGS AND MOTIONS > Rule 11.
Rule 11. Signing Pleadings, Motions, and Other Papers; Representations to the Court; Sanctions

(b) Representations to the Court.

By presenting to the court a pleading, written motion, or other paper — whether by signing, filing, submitting, or later advocating it — an attorney or unrepresented party certifies that to the best of the person's knowledge, information, and belief, formed after an inquiry reasonable under the circumstances:

(1) it is not being presented for any improper purpose, such as to harass, cause unnecessary delay, or needlessly increase the cost of litigation;

(2) the claims, defenses, and other legal contentions are warranted by existing law or by a nonfrivolous argument for extending, modifying, or reversing existing law or for establishing new law;

(3) the factual contentions have evidentiary support or, if specifically so identified, will likely have evidentiary support after a reasonable opportunity for further investigation or discovery; and

(4) the denials of factual contentions are warranted on the evidence or, if specifically so identified, are reasonably based on belief or a lack of information.

Federal Rule of Civil Procedure 11(b) sanctions, it should be noted, may only be imposed upon attorneys and not upon represented parties.

*“Sanctions that involve monetary awards (such as a fine or an award of attorney's fees) **may not be imposed on a represented party** for violations of subdivision (b)(2), involving frivolous contentions of law. **Monetary responsibility for such violations is more properly placed solely on the party's attorneys.** With this limitation, the rule should not be subject to attack under the Rules Enabling Act. See *Willy v. Coastal Corp.*, ___ U.S. ___ (1992); *Business Guides, Inc. v. Chromatic Communications Enter. Inc.*, ___ U.S. ___ (1991). This restriction does not limit the court's power to impose sanctions or remedial orders may have collateral financial consequences upon a party, such as dismissal of a claim, preclusion of a defense, or preparation of amended pleadings. [Federal Rule of Civil Procedure 11, Notes]*

¹ The definition of “frivolous” has been broken up into clauses for the purpose of a more complete analysis and breakdown its meaning.

1 The criteria established in this section for whether a pleading is “frivolous” therefore includes:

- 2 1. Presented for an improper purpose, such as to harass, cause unnecessary delay, or needlessly increase the cost of
3 litigation. Federal Rule of Civil Procedure 11(b)(1).
- 4 2. Claims, defenses, and other legal contentions are not warranted by existing law. Federal Rule of Civil Procedure
5 11(b)(2).
- 6 3. Factual contentions do not have evidentiary support and it is unlikely that evidentiary support could be obtained after
7 further discovery. Federal Rule of Civil Procedure 11(b)(2).
- 8 4. Denials of factual contentions in the opposing pleading are not based on reasonable belief or evidence. Federal Rule of
9 Civil Procedure 11(b)(4).

10 If you would like to learn more about “frivolous” legal actions, please consult the following memorandum of law on our
11 website:

Meaning of the Word “Frivolous”, Form #05.027
<http://sedm.org/Forms/FormIndex.htm>

12 **5 Administrative Liens**

13 Some zealous patriots file liens or administrative liens upon government officials who are violating their rights. Most often,
14 such liens are filed with the county recorder, not unlike the equally BOGUS “Notice of Liens” issued by the Internal Revenue
15 Service against innocent “nontaxpayers”.

16 An administrative lien is one which:

- 17 1. Identifies itself as a “lien”.
- 18 2. Is issued by other than a competent constitutional court ordained or established by the laws of the state.
- 19 3. Is filed with the county recorder.

20 The IRS avoids the charge of “simulating legal process” with their equal bogus administrative liens by labeling them as
21 “Notices of Lien”.

22 Another method of enforcement that does not appear as a simulation of legal process and which is an alternative to filing
23 liens is to instead file a UCC-1 Financing Statement form with the Secretary of State against government officials who are
24 violating their rights. These forms do not identify themselves as “liens”, but rather “security interests”. Since these
25 documents do not purport to be liens and are filed in furtherance of a consensual commercial relationship between the parties,
26 then they do not qualify as illegal.

27 **6 Notary judgments**

28 Our site contains the following document describing a commercial arbitration method under the Uniform Commercial Code:

Notary Certificate of Dishonor Process, Form #07.006
<http://sedm.org/Forms/FormIndex.htm>

29 The notary certificate of default process functions essentially as a form of binding arbitration designed to AVOID litigation
30 and settle disputes administratively BEFORE litigation. It is based upon Federal Rule of Civil Procedure 8(b)(6), which
31 states that a failure to deny constitutes an admission of the facts not denied.

32 [*Federal Rules of Civil Procedure*](#)

33 *Rule 8. General Rules of Pleading*

34 *(b) Defenses; Admissions and Denials.*

35 *(6) Effect of Failing to Deny.*

An allegation—other than one relating to the amount of damages—is admitted if a responsive pleading is required and the allegation is not denied. If a responsive pleading is not required, an allegation is considered denied or avoided.

The important thing to remember is that notaries are nothing more than state witnesses. They may witness a default on the part of the other party and provide legal proof of an officer of the state of that fact, but they MAY NOT convene a “court”, act as a JUDGE, or issue orders. If they do, they commit the crime of “simulating legal process”. Here is an example of such a crime from the Oregon Revised Statutes (ORS), 162.355:

*Oregon Revised Statutes
162.355 Simulating legal process.*

*(1) A person commits the crime of simulating legal process if, with the intent to harass, injure or defraud another person, **the person knowingly issues or delivers to another person any document that in form and substance falsely simulates civil or criminal process.***

(2) As used in this section:

(a) “Civil or criminal process” means a document or order, including, but not limited to, a summons, lien, complaint, warrant, injunction, writ, notice, pleading or subpoena, that is issued by a court or that is filed or recorded for the purpose of:

(A) Exercising jurisdiction;

(B) Representing a claim against a person or property;

(C) Directing a person to appear before a court or tribunal; or

(D) Directing a person to perform or refrain from performing a specified act.

(b) “Person” has the meaning given that term in ORS 161.015, except that in relation to a defendant, “person” means a human being, a public or private corporation, an unincorporated association or a partnership.

(3) Simulating legal process is a Class C felony. [1971 c.743 §210; 1997 c.395 §1; 2005 c.2 §1]

When notaries are used to perform judicial functions against a party, sometimes that party complains to the Federal Bureau of Investigation and the local police, and then a city and FBI prosecutor will both jointly meet with the notary for the purposes of prosecuting them for “simulating legal process” as a judge. Eventually, the notary will lose their commission and subsequently be criminally prosecuted.

7 Serving private court process upon non-members or non-citizens

Some freedom lovers try to form their own private courts or grand juries to try or indict offenses against their rights by actors within the de facto government. Such private courts are sometimes called:

1. Common law courts.
2. Ecclesiastical courts in the case of churches.
3. Franchise courts for the regulation of specific activities such as “driving”. This would include family courts, traffic courts, and social security administrative courts.

Those who convene such courts must be careful how they describe their activities to those outside the group, or the participants could be indicted for simulating legal process. Legal process served by these groups can be called by a number of different names, such as the following:

1. Non-statutory abatement.
2. Private Administrative Process (PAP).

Below is a definition of “simulating legal process”:

1 *"A person commits the offense of simulating legal process if he or she "recklessly causes to be delivered to*
2 *another any document that simulates a summons, complaint, judgment, or other court process with the intent to .*
3 *. . cause another to submit to the putative authority of the document; or take any action or refrain from taking*
4 *any action in response to the document, in compliance with the document, or on the basis of the document."*
5 *[Texas Penal Code Annotated, § 32.48(a)(2)]*

6 Therefore, those forming common law courts or ecclesiastical courts may not use the words "complaint", "judgment",
7 "summons" when issuing documents to parties OUTSIDE the group of people who expressly consented to their jurisdiction.
8 In other words, those who are not in the group or who are not "citizens" within whatever community they have formed, may
9 not receive documents that are connected with any existing state or municipal court or which could be confused with such
10 courts.

11 Below is one ruling by a Texas court relating to a "simulating legal process" charge against an ecclesiastical court:

12 Free Exercise of Religion

13 *Government action may burden the free exercise of religion, in violation of the First Amendment,2[10] in two*
14 *quite different ways: by interfering with a believer's ability to observe the commands or practices of his faith and*
15 *by encroaching on the ability of a church to manage its internal affairs. Westbrook v. Penley, 231 S.W.3d. 389,*
16 *395 (Tex. 2007). In appellant's pro se motions, he refers to the "exercise of one's faith." More specifically, he*
17 *raised the issue of ecclesiastical abstention in the trial court and cites to cases concerning this doctrine on appeal.*
18 *His arguments are directed at the trial court's jurisdiction over this matter, not the constitutionality of section*
19 *32.48. So, it appears the judiciary's exercise of jurisdiction over the matter, rather than the Legislature's*
20 *enactment of section 32.48, is the target of his challenge. We, then, will address that aspect of the constitutional*
21 *issue he now presents on appeal; we will determine whether the trial court's exercise of jurisdiction violated*
22 *appellant's right to free exercise of religion by encroaching on the ability of his church to manage its internal*
23 *affairs.*

24 *The Constitution forbids the government from interfering with the right of hierarchical religious bodies to*
25 *establish their own internal rules and regulations and to create tribunals for adjudicating disputes over religious*
26 *matters. See Serbian E. Orthodox Diocese v. Milivojevich, 426 U.S. 696, 708-09, 724-25, 96 S.Ct. 2372, 49*
27 *L.Ed.2d. 151 (1976). Based on this constitutionally-mandated abstention, secular courts may not intrude into the*
28 *church's governance of "religious" or "ecclesiastical" matters, such as theological controversy, church*
29 *discipline, ecclesiastical government, or the conformity of members to standards of morality. See In re Godwin,*
30 *293 S.W.3d. 742, 748 (Tex.App.—San Antonio 2009, orig. proceeding).*

31 *The record shows that Coleman, to whom the "Abatement" was delivered, was not a member of appellant's*
32 *church. That being so, the church's position on the custody matter is not a purely ecclesiastical matter over which*
33 *the trial court should have abstained from exercising its jurisdiction. **This is not an internal affairs issue because***
34 ***the record conclusively establishes that the recipient is not a member of the church.** The ecclesiastical*
35 *abstention doctrine does not operate to prevent the trial court from exercising its jurisdiction over this matter.*
36 *We overrule appellant's final issue.*

37 *[Michael Runningwolf v. State of Texas, 317 S.W.3d. 829 (2010);*
38 *SOURCE: http://scholar.google.com/scholar_case?case=13768262149764043927]*

39 Therefore, if you form a common law or ecclesiastical court you should be careful to:

- 40 1. Draft a good membership or citizenship agreement.
- 41 2. Require all members to sign the membership or citizenship agreement.
- 42 3. Keep careful records that are safe from tampering.
- 43 4. NOT serve "legal process" of any kind against those who are NOT consenting members or citizens.

44 We take the same position in protecting OUR members from secular courts as the secular courts take toward private courts.
45 The First Amendment requires that you have a right to either NOT associate or to associate with any group you choose
46 INCLUDING, but not limited to the "state" having general jurisdiction where you live. That means you have a RIGHT to
47 NOT be:

- 48 1. A "citizen" or "resident" in the area where you physically are.
- 49 2. A "driver" under the vehicle code.
- 50 3. A "spouse" under the family code.

4. A “taxpayer” under the tax code.

The dividing line between who are “members” and who are NOT members is who has a domicile in that specific jurisdiction. The subject of domicile is extensively covered in the following insightful document:

Why Domicile and Becoming a “Taxpayer” Require Your Consent, Form #05.002
<http://sedm.org/Forms/FormIndex.htm>

We allege that secular franchise courts such as tax court, traffic court, family court, social security administrative court, and even civil court in your area are equally culpable for the SAME crime of “simulating legal process” if they serve legal process upon anyone who is NOT a “member” of their “state” and who has notified them of that fact. As such, any at least CIVIL process served upon them by secular courts of the de facto government is ALSO a criminal simulation of legal process because instituted against non-consenting parties who are non-residents and “non-members”, just as in the above case. Membership has to be consensual.

*The record shows that Coleman, to whom the “Abatement” was delivered, was not a member of appellant’s church. That being so, the church’s position on the custody matter is not a purely ecclesiastical matter over which the trial court should have abstained from exercising its jurisdiction. **This is not an internal affairs issue because the record conclusively establishes that the recipient is not a member of the church.** The ecclesiastical abstention doctrine does not operate to prevent the trial court from exercising its jurisdiction over this matter. We overrule appellant’s final issue.*

[Michael Runningwolf v. State of Texas, 317 S.W.3d. 829 (2010);
SOURCE: http://scholar.google.com/scholar_case?case=13768262149764043927]

We also argue that just like the above ruling, the secular government in fact and in deed is ALSO a church, as described in the following exhaustive proof of that fact:

Socialism: The New American Civil Religion, Form #05.016
<http://sedm.org/Forms/FormIndex.htm>

In support of the above, Black’s Law Dictionary defines “franchise courts” such as traffic court and family court as PRIVATE courts:

“franchise court. Hist. A privately held court that (usu.) exists by virtue of a royal grant [privilege], with jurisdiction over a variety of matters, depending on the grant and whatever powers the court acquires over time. In 1274, Edward I abolished many of these feudal courts by forcing the nobility to demonstrate by what authority (quo warranto) they held court. If a lord could not produce a charter reflecting the franchise, the court was abolished. - Also termed courts of the franchise.

Dispensing justice was profitable. Much revenue could come from the fees and dues, fines and amercements. This explains the growth of the second class of feudal courts, the Franchise Courts. They too were private courts held by feudal lords. Sometimes their claim to jurisdiction was based on old pre-Conquest grants ... But many of them were, in reality, only wrongful usurpations of private jurisdiction by powerful lords. These were put down after the famous Quo Warranto enquiry in the reign of Edward I.” W.J.V. Windeyer, Lectures on Legal History 56-57 (2d ed. 1949).”
[Black’s Law Dictionary, Seventh Edition, p. 668]

As a BARE minimum, we think that if you get summoned into any franchise court for violations of the franchise, such as tax court, traffic court, and family court, then the government as moving party who summoned you should at LEAST have the burden of proving that you EXPRESSLY CONSENTED in writing to become a “member” of the group that created the court, such as “taxpayer”, “driver”, “spouse”, etc. and that if they CANNOT satisfy that burden of proof, then:

1. All charges should be dismissed.
2. The franchise judge and government prosecutor should BOTH be indicted and civilly sued for simulating legal process under the common law and not statutory civil law.

8 Sending threatening letters

In many jurisdictions, it is a crime to THREATEN to accuse someone of a crime but not to ACTUALLY accuse. Here is an example from the Arizona Revised Statutes (ARS), 13-3004:

Arizona Revised Statutes (ARS)

13-3004. Sending threatening or anonymous letter; classification

*A person who knowingly sends or delivers to another a letter or writing, whether subscribed or not, **threatening to accuse him or another of a crime**, or to expose or publish his failings or infirmities, and a writer or sender of an anonymous letter or writing calculated to create distrust of another or tending to impute dishonesty, want of chastity, drunkenness or any crime or infirmity to the receiver of the letter or to any other person, is guilty of a class 2 misdemeanor.*

[SOURCE: <http://www.azleg.state.az.us/FormatDocument.asp?inDoc=/ars/13/03004.htm&Title=13&DocType=ARS>]

If you think a public servant is committing a crime, don't THREATEN to accuse him in exchange for some favor. Instead, simply file a criminal complaint WITHOUT WARNING to him or her. That way, you can never be convicted of the above crime.

The following document that is mandatory for new members to send to the government prevents the charge of blackmail or criminal coercion by reporting all most crimes by public servants that we seek to stop before most members even begin their interactions with a corrupted criminal de facto government using either our materials or services:

<p><i>Legal Notice of Change in Domicile/Citizenship Records and Divorce from the United States</i>, Form #10.001 http://sedm.org/Forms/FormIndex.htm</p>

9 Witness tampering

It is a crime to intimidate a protected witness or informant who is testifying or may testify before a legal proceeding. Below is an example from federal law. Most states have similar laws:

18 U.S.C. §1512 - Tampering with a witness, victim, or an informant

*(b)Whoever knowingly uses intimidation, threatens, or **corruptly** persuades another person, or attempts to do so, or engages in misleading conduct toward another person, with intent to—*

(1)influence, delay, or prevent the testimony of any person in an official proceeding;

(2)cause or induce any person to—

(A)withhold testimony, or withhold a record, document, or other object, from an official proceeding;

(B)alter, destroy, mutilate, or conceal an object with intent to impair the object's integrity or availability for use in an official proceeding;

(C)evade legal process summoning that person to appear as a witness, or to produce a record, document, or other object, in an official proceeding; or

(D)be absent from an official proceeding to which such person has been summoned by legal process; or

(3)hinder, delay, or prevent the communication to a law enforcement officer or judge of the United States of information relating to the commission or possible commission of a Federal offense or a violation of conditions of probation [1] supervised release,,[1] parole, or release pending judicial proceedings;

shall be fined under this title or imprisoned not more than 20 years, or both.

The term "corruptly" as used above has the following meaning:

Finally, respondent posits that the phrase "'corruptly . . . endeavors to influence, obstruct, or impede' may be unconstitutionally vague," in that it fails to provide sufficient notice that lying to potential grand jury witnesses in an effort to thwart a grand jury investigation is proscribed. Brief for Respondent 22, n. 13. Statutory language need not be colloquial, however, and the term "corruptly" in criminal laws has a longstanding and well-accepted meaning. It denotes "[a]n act done with an intent to give some advantage inconsistent with official duty and the rights of others. . . . It includes bribery but is more comprehensive; because an act may be corruptly done though the advantage to be derived from it be not offered by another." United States v. Ogle, 613 F.2d, 233, 238 (CA10) (internal quotation marks omitted), cert. denied, 449 U. S. 825 (1980). See also Ballentine's Law Dictionary 276 (3d ed. 1969); Black's Law Dictionary 345 (6th ed. 1990). As the District Court here instructed the jury:

"An act is done corruptly if it's done voluntarily and intentionally to bring about either an unlawful result or a lawful result by some unlawful method, with a hope or expectation of either financial gain or other benefit to oneself or a benefit of another person." App. 117.
[United States v. Aguilar, 515 U.S. 593 (1995)]

Some courts have held that mailing communications to government officials which might corruptly influence their enforcement efforts could be classified as witness tampering. This happens, for instance, when one mails a threatening communication to an IRS agent but which contains no citations of laws they are violating in illegally enforcing, but rather pure threats of violence.

In order to avoid this charge, we recommend the following tactics:

1. Respond to violations of rights with a criminal complaint, NOT a threat to prosecute, and ensure you have proof that you sent it.
2. In the criminal complaint, stick to the facts of the case and avoid opinions.
3. State that the recipient of the complaint becomes a criminal under 18 U.S.C. §§3 and 4 if they fail to act upon or prosecute the crimes. These violations are called "accessory after the fact" and "misprision of felony".
4. Give them a time frame to rebut and tell them that at the end of the time frame, they are in default and then issue a notice of default listing the facts agreed to.
5. Include BOTH:
 - 5.1. A fee schedule indicating the charge for your services in resolving the dispute if they fail to reimburse you for the injury.
 - 5.2. A "bill" or "claim" or "tax bill" both for damages and your services to you from the illegal activity of the government agent. Do NOT identify the bill or claim as a "judgment" or a "lien" but simply a bill or claim. "taxes", after all, are simply a type of bill for services rendered, and if you call it a tax, then you like the government can invoke the anti-injunction act to prevent court interference with its collection, under the concept of equal protection and equal treatment. You could call the amount of the bill an "assessment" for tax owed.
6. Send a copy of the criminal and civil complaint to both the offending party and the supervisor of the offending party, along with local law enforcement and the FBI.
7. Do not physically threaten the party, hire a hit man, or tell anyone that you want to kill the government officer who is violating your rights. More peaceful remedies are available.

Lastly, this charge is equally as useful against the government. Most government forms are usually signed under penalty of perjury and therefore constitute "testimony of a witness". As such, it is illegal to threaten the person submitting the form in any way in order to influence of change their testimony. This is especially true of tax crimes. If you are threatened with a penalty because you refuse to change what you wrote on the form and refuse to make the content of the form FALSE, then:

1. We suggest attaching a criminal complaint to the form charging the person threatening the penalty with witness tampering.
2. Writing on the form to which the complaint is attached:

Not valid, false, fraudulent, and perjurious because of duress instituted by _____.

10 Knowingly false complaints of violations of constitutional rights

A few states within our Union have actually criminalized making false reports of violations of constitutional rights by officers of the state. Below is an example from the Mississippi code:

Mississippi Code

It shall be unlawful for any person or persons to wilfully and knowingly, whether orally or in writing, make or cause to be made, to any agency, or board, or commission, or member, or officer or official, or appointee, or employee, or representative thereof, of the executive, or the legislative, or the judicial department, of the United States or any subdivision thereof, which may be now in existence, or who may be now appointed, or hereafter created or appointed, including but not limited to any commissioner, or referee, or voting referee now appointed or who may be hereafter appointed by any court of the United States or any judge thereof, and further including but not limited to any member of the Federal Bureau of Investigation and any agent or representative, or investigator, or member of the Commission on Civil Rights of the United States, or the Advisory Committee or Board of the Commission on Civil Rights of the United States appointed in and for the State of Mississippi, any false or fictitious or fraudulent statement or statements, or to use any false writing or document asserting or claiming, that such person, or persons, or any other person or persons have been, or are about to be denied or deprived of any right, or privilege, or immunity granted or secured to them, or to any of them, by the United States Constitution and laws, or by the Mississippi Constitution and laws, by any officer, or agency, or employee, or representative, or board, or commission, or any member thereof of the State of Mississippi, or of any county or municipality, of the State of Mississippi, or of any other political subdivision of the State of Mississippi, or by the State of Mississippi and any person or persons violating the provisions of this section shall be guilty of the crime of making a false statement, which is created by this section, a felony, and upon conviction thereof shall be punished by imprisonment in the county jail for not less than six (6) months nor more than five (5) years in the penitentiary, or by a fine of not less than one hundred dollars (\$100.00) nor more than one thousand dollars (\$1,000.00) or by both such fine and imprisonment.

SOURCES: Codes, 1942, Sec. 2155.4; Laws, 1960, ch. 263, Sec. 1.

[SOURCE: <http://www.mscode.com/free/statutes/97/007/0033.htm>]

The operative phrase in the above is “wilfully and knowingly”. Honest mistakes are permitted and not included in the above. Nevertheless, statutes like the above are a good reason to ensure that you learn the law before you go out beating your chest that your rights have been violated!

11 A painful example of what NOT to do

The following report was sent to us about what one beleaguered government did to a legally ignorant person who unlawfully defended their rights. Don't let this happen to YOU:

I wanted to let you know that _____, a good friend, was found guilty on 15 counts of trumped up charges due to Liens he had filed against people that had violated his rights. He did serve all of them with more than ample time to answer all complaints before having to file liens due to nonresponse. However, they did not try him for the liens. The charges were as follows.

1. Intimidating Witness - 4 counts
2. Criminal Coersion - 2 counts
3. Harassing Communication - 6 counts
4. Unlawful Assembling Legal Process - 2 counts
5. Unlawful Criminal Tampering - 1 count

They raided his house just one week after him releasing a press statement stating that an official of _____ County, Alabama should not be re-elected if he was not going to arrest and prosecute criminals. The articles of evidence taken from _____ home was admitted on the stand by lead detective, Pennington, had nothing to do with the charges he faced. Yet, they were accepted into evidence anyway. Included in the exhibits of the case were pictures of _____'s home, kitchen table, ironing board, 5 people sitting on a couch, an out-of-service u-haul truck that was in the back yard, pictures and plaques on the wall that had bible scripture written on them, several computers, printers, books, a variety of computer discs and programs, a pistol, and other non-related items. YES these were entered in to evidence to prosecute this man! He was simply tried for his ideology and beliefs, and he was persecuted basically for exercising his rights under our constitution.

Did I mention that the judge in this case was already a subject in a civil action in which _____ was a plaintiff? Before it is said that he started the action to avoid this judge, the civil action was started before he was arrested!

The prosecution in this case had no case until they wrongfully solicited the signing of complaints after the raid of Mr. _____'s house. It looked like the detective was more interested in not looking foolish for the unfruitful warrant than true due process.

After _____ categorized _____ with "The West Memphis Shooting" he was asked if there were any fertilizer, pipes, illegal weapons, bombs or material, or anything that would fit any violent behavioral intentions. He said "no" to all.

After being categorized as a monster like McVey, Rudolph, or the West Memphis incident, the jury spent 45 minutes convicting him on 15 charges. That's 3 minutes for each charge. Not enough time to even look at the evidence in front of them.

Please help expose what has happened to this man. Now that they have a conviction, it is bound to start a domino effect of violating others through government control and corruption.

12 Conclusions

Many people in the freedom community are ignorant of the law and that ignorance can cause them to do things that are criminal offenses. Below is a summary of the guidelines to stay out of trouble when enforcing or protecting your rights:

1. Take the time to learn the law thoroughly so you don't embarrass yourself in courtrooms with your presumptuous, erroneous, or ignorant behaviors. Our website is the best place to do that.
2. If someone has injured you, litigate against the person who did so but do so NOT using statutes, but equity and the common law. That way, government will not have the upper hand and cannot penalize either party. It will be nothing more than a referee. Government should NOT be earning revenues from crime through penalties and any government that does eventually will PROMOTE crime. The following document describes HOW to litigate using the common law:

Common Law Practice Guide, Litigation Tool #10.013

<http://sedm.org/Litigation/LitIndex.htm>

3. If someone injured you, then communicate that to the party who injured you and the government they work for using a criminal complaint. Don't be emotional but factual and specific.
 - 3.1. Respond to violations of rights with a criminal complaint, NOT a threat to prosecute, and ensure you have proof that you sent it.
 - 3.2. In the criminal complaint, stick to the facts of the case and avoid opinions.
 - 3.3. State that the recipient of the complaint becomes a criminal under 18 U.S.C. §§3 and 4 if they fail to act upon or prosecute the crimes. These violations are called "accessory after the fact" and "misprision of felony".
 - 3.4. Give them a time frame to rebut and tell them that at the end of the time frame, they are in default and then issue a notice of default listing the facts agreed to.
 - 3.5. Include BOTH:
 - 3.5.1. A fee schedule indicating the charge for your services in resolving the dispute if they fail to reimburse you for the injury.
 - 3.5.2. A "bill" or "claim" or "tax bill" both for damages and your services to you from the illegal activity of the government agent. Do NOT identify the bill or claim as a "judgment" or a "lien" but simply a bill or claim. "taxes", after all, are simply a type of bill for services rendered, and if you call it a tax, then you like the government can invoke the anti-injunction act to prevent court interference with its collection, under the concept of equal protection and equal treatment. You could call the amount of the bill an "assessment" for tax owed.
 - 3.6. Send a copy of the criminal and civil complaint to both the offending party and the supervisor of the offending party, along with local law enforcement and the FBI.
4. Don't THREATEN to act, but simply ACT by civilly and/or criminally suing the party who injured you.
5. If you belong to a group with its own common law or ecclesiastical court, then:
 - 5.1. Draft a good membership or citizenship agreement.
 - 5.2. Require all members to sign the membership or citizenship agreement.
 - 5.3. Keep careful records that are safe from tampering.
 - 5.4. Do NOT serve "legal process" of any kind against those who are NOT consenting members or citizens.
6. If someone you are speaking to threatens you illegally and you feel the need to record it as evidence, then:
 - 6.1. If you are using a telephone or the internet, find out what state the person is in on the other end of the line.
 - 6.2. Look up the laws for recording of conversations for the state the other party is in. The link below is a starting point for the laws of each state:
<http://www.famguardian.org/Subjects/PropertyPrivacy/Articles/TelephoneRecording.htm>

- 1 6.3. If the state is a two party state, then either announce that talking with you constitutes consent or ask them if they
2 consent. If the state is a one party state, then you don't need permission and aren't required to notify the other
3 party.
4 6.4. Use the following procedure as a starting point for how to record:

<p><i>How to Record Telephone Conversations Using Your Computer</i> http://www.famguardian.org/Subjects/PropertyPrivacy/Articles/TelephoneRecording.htm</p>

5 **13 Resources for Further Study and Rebuttal**

6 If you would like to study the subjects covered in this short pamphlet in further detail, may we recommend the following
7 authoritative sources, and also welcome you to rebut any part of this pamphlet after your have read it and studied the subject
8 carefully yourself just as we have:

- 9 1. Liberty University- Free educational materials for regaining your sovereignty as an entrepreneur or private person
10 <http://sedm.org/LibertyU/LibertyU.htm>
11 2. Family Guardian Website, Sovereignty and Freedom page-lots of useful resources on the freedom and sovereignty
12 subject
13 <http://famguardian.org/Subjects/Taxes/taxes.htm>
14 3. Common Law Practice Guide, Litigation Tool #10.013
15 <http://sedm.org/Litigation/LitIndex.htm>
16 4. Notary Certificate of Dishonor Process, Form #07.006 –how to generate a public record documenting a default and
17 agreement by the other party WITHOUT criminally simulating legal process.
18 <http://sedm.org/Forms/FormIndex.htm>